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EXAMINER
COLAN, GIOVANNA B

ART UNIT	PAPER NUMBER
2162	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

			Application No.	Applicant(s)	
Office Action Summary			10/512,116	HEESEMANS ET AL.	
			Examiner	Art Unit	
			Giovanna Colan	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 January 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-19 and 21-29* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-19 and 21-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.　　This action is issued in response to the Amendment filed on 01/26/2007.

2.　　Claims 1, 5 – 6, 12 – 15, 17, 19, 23, and 29 were amended. Claims 2, and 20

were canceled. No claims were added.

3.　　This action is made Final.

4.　　Claims 1, 3 – 19, and 21 – 29 are pending in this application.

5.　　Applicant's arguments filed on 10/23/2006 have been fully considered but they

are not persuasive.

Claim Rejections - 35 USC § 102

6.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.　　Claims 1 – 29 are rejected under 35 U.S.C. 102(e) as being anticipated by

Berenson et al. (Berenson hereinafter) (US Patent Pub. App. No. 2003/0131355 A1,

filed: November 27, 2001).

　　　Regarding Claim 1, Berenson discloses a device for presenting data about

programs from a number of program sources, the device comprising:

a table generator unit for generating an electronic program guide as a table (Page 2, [0024], lines 1 – 7, Berenson) comprising data about current program and following programs for each program source (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11, Berenson),

a coding unit for selecting data about all programs starting within at least one first time interval (Page 2, [0025], lines 9 – 12, select a program, Berenson[1]) and coding the selected data with an additional code (Page 2, [0026] – [0027], lines 1 – 2 and 1 – 2, displayed time – by – suggested preferences; respectively, Berenson), and

a control unit for controlling the table generator unit and the coding unit (Page 3, [0040], lines 6 – 9, programming guide server, Berenson[2]), wherein the table generator unit is arranged to present the data about the programs (Figure 7, Page 5, [0062] and [0063], lines 1 – 6 and 1; respectively, Berenson), using source as a first parameter (Page 6, [0063], lines 8 – 11, Berenson[3]) and order of programs as a second parameter (Page 6, [0067], lines 3 – 5, Berenson[4]), with rows sorted in accordance with specific source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines 3 – 7, Berenson[5]) and columns sorted in accordance with next program of each source (Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed sequentially, Berenson) to present the selected data in accordance with the additional code (Page 3, [0040], lines 7 – 9, to filter the program listings information, Berenson).

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[1] Wherein the computer user interface corresponds to the coding unit claimed.
[2] Wherein the step of using the information and filtering corresponds to the step of controlling as claimed.
[3] Wherein "7 Days" corresponds to the source claimed.
[4] Wherein the start time corresponds to the order of programs claimed.
[5] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed.

Regarding Claim 3, Berenson discloses a device, wherein the table generator

unit is arranged to present the data using a common visual identification for the time

interval (Figure 8, Page 6 and 8, [0063] and [0115], lines 9 – 15 and 1 – 6; respectively,

Berenson[6]).

Regarding Claim 4, Berenson discloses a device, wherein the common visual

identification is a color associated with the time interval (Figure 8, Page 6 and 8, [0063]

and [0115], lines 9 – 15 and 1 – 6; respectively, Berenson[7]).

Regarding Claim 5, Berenson discloses a device, further including a scrolling

step calculation unit arranged to determine a scrolling step size based on a third

parameter (Figure 9, Page 6, [0066], lines 7 – 9, Berenson[8]) and the control unit being

arranged to control the scrolling step calculation unit (Figure 5, item 22, Personalization

Database Server, Page 6, [0053], lines 1 – 4, Berenson) and scrolling data about

programs of the different program sources in the table with said scrolling step size

(Figure 9, Page 6, [0066], lines 7 – 9, Berenson[9]).

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[6] Wherein the interval showed for the "ED" program (as displayed in Figure 8, interval 8 – 8:30)
corresponds to the common visual identification claimed. The "ED" program shows the same box color for
that interval (8:00 – 8:30pm as shown in that Figure).
[7] The table displayed in Figure 8 shows figures and colors according to the time intervals.
[8] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to
the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling
data as claimed (Page 9, [0120], lines 6 – 9, Berenson).

Regarding Claim 6, Berenson discloses a device for presenting data about

programs from a number of program sources, the device comprising:

a table generator unit for generating an electronic program guide as a table

comprising data about current program (Page 2, [0024], lines 1 – 7, Berenson) and

following programs for each source (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 –

11, Berenson) and presenting the data about the programs (Figure 7, Page 5, [0062]

and [0063], lines 1 – 6 and 1; respectively, Berenson), using source as a first parameter

(Page 6, [0063], lines 8 – 11, Berenson[10]) and order of programs as a second

parameter (Page 6, [0067], lines 3 – 5, Berenson[11]), with rows sorted in accordance

with specific source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines

3 – 7, Berenson[12]) and columns sorted in accordance with next program of each source

(Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed sequentially,

Berenson), the selected data being presented in accordance with an additional code

determined for each program (Page 3, [0040], lines 7 – 9, to filter the program listings

information, Berenson);

a scrolling step calculation unit for determining a scrolling step size based on a

third parameter (Figure 9, Page 6, [0066], lines 7 – 9, Berenson[13]), and

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[9] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling data as claimed (Page 9, [0120], lines 6 – 9, Berenson).
[10] Wherein "7 Days" corresponds to the source claimed.
[11] Wherein the start time corresponds to the order of programs claimed.
[12] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed.
[13] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling data as claimed (Page 9, [0120], lines 6 – 9, Berenson).

a control unit for controlling the table generator unit (Page 3, [0040], lines 6 – 9,

programming guide server, Berenson[14]) and the scrolling step calculation unit (Figure 5,

item 22, Personalization Database Server, Page 6, [0053], lines 1 – 4, Berenson) and

arranged to scroll data about programs of the different program sources in the table with

said step size (Figure 9, Page 6, [0066], lines 7 – 9, Berenson[15]).

Regarding Claim 7, Berenson discloses a device, wherein the third parameter is

time (page 6, [0066], lines 3 – 5, time interval, Berenson).

Regarding Claim 8, Berenson discloses a device, wherein the step size is set to

a second time interval (Page 6, [0066], lines 3 – 5, Berenson) and, for each scrolling

step (Page 6, [0066], lines 7 – 9, are moved up to personal lineups, Berenson), the

control unit is arranged to scroll all data concerning the programs of a program source if

the data about a program of said program source has a start or stop time within the

second time interval (Page 6, [0066], lines 2 – 9, Berenson[16]).

Regarding Claim 9, Berenson discloses a device, wherein the second time

interval is set to a short fixed duration in comparison with a first time interval (Page 6,

[0068], lines 1 – 4, Berenson).

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[14] Wherein the step of using the information and filtering corresponds to the step of controlling as claimed.
[15] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling data as claimed (Page 9, [0120], lines 6 – 9, Berenson).

Regarding Claim 10, Berenson discloses a device, wherein the scrolling step calculation unit is arranged to set the second time interval as the time between the starting time of a selected program and the starting time of any program having a starting time closest to and after the starting time of the selected program (Figure 9, Page 8, [0113], lines 8 – 17, Berenson).

Regarding Claim 11, Berenson discloses a device, wherein the scrolling step calculation unit is arranged to set the second time interval as the time between the starting time of a selected program and the starting time of the next program of the same program source (Figure 9, Page 8, [0113], lines 8 – 17, Berenson).

Regarding Claim 12, Berenson discloses a device, wherein the control unit is arranged to control, on the basis of the time relationship between the starting times of the programs, the scrolling step calculation unit to set the second time interval, such that a number of programs of program sources are scrolled at the same time (Page 8, [0113], lines 13 – 17, grids that do not include every show on each channel, Berenson).

Regarding Claim 13, Berenson discloses a program presentation apparatus for presenting programs from a number of program sources, the apparatus comprising:

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[16] Wherein the step of finding all the programs on a specified time and further moving them up corresponds to the step of scrolling all data if the data about the program has a start or stop within the second time interval as claimed.

a receiving unit for receiving at least one signal containing data relating to

programs of the different program sources (Page 2, [0023], lines 1 – 4, Berenson),

a table generator unit for generating an electronic program guide as a table

comprising data about current program (Page 2, [0024], lines 1 – 7, Berenson) and

following programs for each program source (Figure 7, Rugrats, 7 Days, Page 6, [0063],

lines 6 – 11, Berenson), with rows sorted in accordance with specific source (Figure 9,

DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines 3 – 7, Berenson[17]) and

columns sorted in accordance with next program of each source (Figure 9, Page 6,

[0063], lines 6 – 11, programs are then placed sequentially, Berenson);

a coding unit for selecting data about all programs starting within at least one first

time interval (Page 2, [0025], lines 9 – 12, select a program, Berenson[18]) and coding the

selected data with an additional code (Page 2, [0026] – [0027], lines 1 – 2 and 1 – 2,

displayed time – by – suggested preferences; respectively, Berenson), and

a control unit for controlling the table generator unit and the coding unit (Page 3,

[0040], lines 6 – 9, programming guide server, Berenson[19]), wherein the table generator

unit is further arranged to present the selected data in accordance with the additional

code (Page 3, [0040], lines 7 – 9, to filter the program listings information, Berenson).

Regarding Claim 14, Berenson discloses a program presentation apparatus for

presenting programs from a number of program sources, the apparatus comprising:

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[17] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION)
corresponds the step of sorting rows in accordance with source as claimed.
[18] Wherein the computer user interface corresponds to the coding unit claimed.
[19] Wherein the step of using the information and filtering corresponds to the step of controlling as claimed.

a receiving unit for receiving at least one signal containing data relating to programs of the different sources (Page 2, [0023], lines 1 – 4, Berenson),

a table generator unit for generating an electronic program guide as a table comprising data about current program (Page 2, [0024], lines 1 – 7, Berenson), and following programs for each program source (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11, Berenson) and presenting the data about the programs (Figure 7, Page 5, [0062] and [0063], lines 1 – 6 and 1; respectively, Berenson), using source as a first parameter (Page 6, [0063], lines 8 – 11, Berenson[20]) and order of programs as a second parameter (Page 6, [0067], lines 3 – 5, Berenson[21]), with rows sorted in accordance with source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines 3 – 7, Berenson[22]) and columns sorted in accordance with next program of each source (Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed sequentially, Berenson)

a scrolling step calculation unit for determining a scrolling step size based on a third parameter (Page 9, [0120], lines 6 – 9, Berenson), and

a control unit for controlling the table generator unit (Page 3, [0040], lines 6 – 9, programming guide server, Berenson[23]) and the scrolling step calculation unit (Figure 5, item 22, Personalization Database Server, Page 6, [0053], lines 1 – 4, Berenson) and arranged to scroll data about programs of the different program sources in the table with

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[20] Wherein "7 Days" corresponds to the source claimed.
[21] Wherein the start time corresponds to the order of programs claimed.
[22] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed.
[23] Wherein the step of using the information and filtering corresponds to the step of controlling as claimed.

said step size (Figure 9, Page 6, [0066], lines 7 – 9, Berenson[24]), wherein selected data

is presented in accordance with an additional code determined for each program (Page

3, [0040], lines 7 – 9, to filter the program listings information, Berenson).

Regarding Claim 15, Berenson discloses a computer program element

comprising: computer program code means for causing the computer to execute

generation of an electronic program guide as a table comprising data about

current program (Page 2, [0024], lines 1 – 7, Berenson) and following programs of a

number of program sources (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11,

Berenson),

presentation of the data about the programs (Figure 7, Page 5, [0062] and

[0063], lines 1 – 6 and 1; respectively, Berenson) using program source as a first

parameter (Page 6, [0063], lines 8 – 11, Berenson[25]) and order of programs as a

second parameter (Page 6, [0067], lines 3 – 5, Berenson[26]), with rows sorted in

accordance with specific source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6,

[0065], lines 3 – 7, Berenson[27]) and columns sorted in accordance with next program of

each source (Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed

sequentially, Berenson) to present the selected data in accordance with an additional

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[24] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling data as claimed (Page 9, [0120], lines 6 – 9, Berenson).
[25] Wherein "7 Days" corresponds to the source claimed.
[26] Wherein the start time corresponds to the order of programs claimed.
[27] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed.

code determined for each program (Page 3, [0040], lines 7 – 9, to filter the program

listings information, Berenson); and

scrolling of data about programs of the different program sources in the table with

a scrolling step size determined by a third parameter (Figure 9, Page 6, [0066], lines 7 –

9, Berenson[28]).

Regarding Claim 16, Berenson discloses a computer program element,

embodied on a computer-readable medium (Page 2, [0033], lines 3 – 12, Berenson).

Regarding Claim 17, Berenson discloses a computer program element

comprising: computer program code means for causing the computer to execute the

steps of:

generation of an electronic program guide as a table comprising data about

current program (Page 2, [0024], lines 1 – 7, Berenson) and following programs of a

number of program sources (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11,

Berenson),

selection of data about all programs starting within at least one first time interval

from a number of programs of different program sources (Page 2, [0025], lines 9 – 12,

select a program, Berenson[29]), with rows sorted in accordance with a specific source

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[28] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling data as claimed (Page 9, [0120], lines 6 – 9, Berenson).
[29] Wherein the computer user interface corresponds to the coding unit claimed.

(Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines 3 – 7, Berenson[30])

and columns sorted in accordance with next program of each source (Figure 9, Page 6,

[0063], lines 6 – 11, programs are then placed sequentially, Berenson);

coding of the selected data with an additional code (Page 2, [0026] – [0027],

lines 1 – 2 and 1 – 2, displayed time – by – suggested preferences; respectively,

Berenson), and

presentation of the selected data in accordance with the additional code (Page 3,

[0040], lines 7 – 9, to filter the program listings information, Berenson).

Regarding Claim 18, Berenson discloses a computer program element,

embodied on a computer-readable medium (Page 2, [0033], lines 3 – 12, Berenson).

Regarding Claim 19, Berenson discloses a method of presenting data about

programs from a number of program sources, the method comprising the steps of:

receiving at least one signal containing data relating to programs of the different

program sources (Page 2, [0023], lines 1 – 4, Berenson),

generating an electronic program guide as a table comprising data about current

program (Page 2, [0024], lines 1 – 7, Berenson) and following programs for each

program source (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11, Berenson),

with rows sorted in accordance with a specific source (Figure 9, DRAMA, COMEDY,

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[30] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION)
corresponds the step of sorting rows in accordance with source as claimed.

AND ACTION, Page 6, [0065], lines 3 – 7, Berenson[31]) and columns sorted in

accordance with next program of each source (Figure 9, Page 6, [0063], lines 6 – 11,

programs are then placed sequentially, Berenson)

      selecting data about all programs starting within at least one first time interval

(Page 2, [0025], lines 9 – 12, select a program, Berenson[32]),

      coding the selected data with the additional code (Page 2, [0026] – [0027], lines

1 – 2 and 1 – 2, displayed time – by – suggested preferences; respectively, Berenson),

and

      presenting the selected data in accordance with the additional code (Page 3,

[0040], lines 7 – 9, to filter the program listings information, Berenson).

      Regarding Claim 20, Berenson discloses a method, wherein the step of

generating comprises generating the table with rows sorted in accordance with program

source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines 3 – 7,

Berenson[33]) and columns sorted in accordance with next program of each program

source (Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed sequentially,

Berenson).

      · Regarding Claim 21, Berenson discloses a method, wherein the step of

presenting comprises presenting the programs within the time interval, using a common

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[31] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION)
corresponds the step of sorting rows in accordance with source as claimed.
[32] Wherein the computer user interface corresponds to the coding unit claimed.

visual identification for the time interval (Figure 8, Page 6 and 8, [0063] and [0115], lines

9 – 15 and 1 – 6; respectively, Berenson[34]).

Regarding Claim 22, Berenson discloses a method, wherein the common visual

identification is a color associated with the time interval (Figure 8, Page 6 and 8, [0063]

and [0115], lines 9 – 15 and 1 – 6; respectively, Berenson[35]).

Regarding Claim 23, Berenson discloses a method of presenting data about

programs from a number of program sources the method comprising the steps of:

generating an electronic program guide as a table comprising data about current

program (Page 2, [0024], lines 1 – 7, Berenson) and following programs for each

program source (Figure 7, Rugrats, 7 Days, Page 6, [0063], lines 6 – 11, Berenson),

presenting the data about the programs (Figure 7, Page 5, [0062] and [0063],

lines 1 – 6 and 1; respectively, Berenson) using program source as a first parameter

(Page 6, [0063], lines 8 – 11, Berenson[36]) and order of programs as a second

parameter (Page 6, [0067], lines 3 – 5, Berenson[37]), with rows sorted in accordance

with specific source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6, [0065], lines

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[33] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance with source as claimed.
[34] Wherein the interval showed for the "ED" program (as displayed in Figure 8, interval 8 – 8:30) corresponds to the common visual identification claimed. The "ED" program shows the same box color for that interval (8:00 – 8:30pm as shown in that Figure).
[35] The table displayed in Figure 8 shows figures and colors according to the time intervals.
[36] Wherein "7 Days" corresponds to the source claimed.
[37] Wherein the start time corresponds to the order of programs claimed.

3 – 7, Berenson[38]) and columns sorted in accordance with next program of each source

(Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed sequentially,

Berenson);and

       scrolling data about programs of the different program sources in the table with a

scrolling step size determined by a third parameter (Figure 9, Page 6, [0066], lines 7 –

9, Berenson[39]), wherein the data is presented in accordance with an additional code

determined for each program (Page 3, [0040], lines 7 – 9, to filter the program listings

information, Berenson).

       Regarding Claim 24, Berenson discloses a method, wherein the third parameter

is time (page 6, [0066], lines 3 – 5, time interval, Berenson).

       Regarding Claim 25, Berenson discloses a method, wherein the step size is set

to a second time interval (Page 6, [0066], lines 3 – 5, Berenson) and the step of

scrolling comprises, for each scrolling step (Page 6, [0066], lines 7 – 9, are moved up to

personal lineups, Berenson), scrolling all data concerning the programs of a program

source if the data about a program of said program source has a start or stop time

within the second time interval (Page 6, [0066], lines 2 – 9, Berenson[40]).

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[38] Wherein grouping the rows by genre (as shown in Figure 9: DRAMA, COMEDY, AND ACTION)
corresponds the step of sorting rows in accordance with source as claimed.
[39] Wherein the step of moving programs up to personals lineups and pushing down others corresponds to
the step of scrolling data as claimed. In addition, Berenson further explicitly discloses the step of scrolling
data as claimed (Page 9, [0120], lines 6 – 9, Berenson).
[40] Wherein the step of finding all the programs on a specified time and further moving them up
corresponds to the step of scrolling all data if the data about the program has a start or stop within the
second time interval as claimed.

Regarding Claim 26, Berenson discloses a method, wherein the second time

interval is of a short fixed duration in comparison with the length of a first time interval

(Page 6, [0068], lines 1 – 4, Berenson).

Regarding Claim 27, Berenson discloses a method, further comprising the step

of selecting a program, which selection sets the second time interval as the time

between the starting time of the selected program and the starting time of any program

having a starting time closest to and after the starting time of the selected program

(Figure 9, Page 8, [0113], lines 8 – 17, Berenson).

Regarding Claim 28, Berenson discloses a method, further comprising the step

of selecting a program, which selection sets the second time interval as the time

between the starting time of the selected program and the starting time of the next

program of the same program source (Figure 9, Page 8, [0113], lines 8 – 17, Berenson).

Regarding Claim 29, Berenson discloses a method, wherein the second time

interval setting is selected on the basis of the time relationship between the different

programs of the program sources, such that a number of programs of program sources

are scrolled at the same time (Page 8, [0113], lines 13 – 17, grids that do not include

every show on each channel, Berenson).

Response to Arguments

1.   Applicant argues that the prior art fails to disclose the amended limitation; "with

rows sorted in accordance with a specific source and columns sorted in accordance

with next program of each source".

Examiner respectfully disagrees. The applied prior art does disclose: with rows

sorted in accordance with source (Figure 9, DRAMA, COMEDY, AND ACTION, Page 6,

[0065], lines 3 – 7, Berenson) and columns sorted in accordance with next program of

each source (Figure 9, Page 6, [0063], lines 6 – 11, programs are then placed

sequentially, Berenson). Wherein grouping the rows by genre (as shown in Figure 9:

DRAMA, COMEDY, AND ACTION) corresponds the step of sorting rows in accordance

with source as claimed.

2.   Applicant argues that the prior art fails to disclose; "determining a code for each

program and that the presentation is further based on the determined code".

Examiner respectfully disagrees. In response to applicant's argument that the

reference fail to show certain features of applicant's invention, it is noted that the

features upon which applicant relies (determining a code for each program and that the

presentation is further based on the determined code) are not recited in the rejected

claim(s). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

1.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

2.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Prior Art Of Record

1.   Berenson et al. (US Patent Pub. App. No. 2003/0131355 A1, filed: November 27, 2001) discloses a program guide system.

2.   Grauch et al. (US Patent No. 6,983,478 B1) discloses method and system for tracking network use.

3.   Shine et al. (US Patent No. 6,556,221 B1) discloses extended elements and mechanisms for displaying a rich graphical user interface in panel subunit.
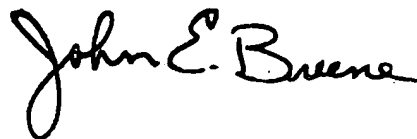
Points Of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna Colan whose telephone number is (571) 272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan
Examiner
Art Unit 2162
April 9, 2007

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